

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS E. SMITH, JR.,

Petitioner,

v.

WARDEN, BELMONT
CORRECTIONAL INSTITUTION,

Respondent.

ORDER

On June 8, 2021, the Magistrate Judge issued a Report and Recommendation in the above two cases recommending that the petitions for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and § 2241 be dismissed. *See* 2:20-CV-5830, Doc. 14; 2:20-CV-5915, Doc. 15. Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The court agrees with the Reports and Recommendations and they are **ADOPTED** and **AFFIRMED**. These actions are hereby **DISMISSED**.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

Date: June 30, 2021

s/James L. Graham
JAMES L. GRAHAM
UNITED STATES DISTRICT JUDGE

The parties are further advised that, if they intend to file an appeal of any adverse decision, they may submit arguments in any objections filed, regarding whether a certificate of appealability should issue.

Elizabeth A. Preston Deavers
United States Magistrate Judge